

**REMARKS**

Claims 17-32 were rejected. Claims 17, 26, and 28 are amended. No new matter is presented. Claims 17-32 are now pending. The above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance.

*Rejection pursuant to 35 U.S.C. § 102 citing Koschmieder*

The Examiner rejected pending claims 17-32 pursuant to 35 U.S.C. § 102 as being anticipated by U.S. Pat. No. 5,943,118 to Koschmieder ("Koschmieder").

Koschmieder discloses an ophthalmic device, such as a slit lamp or a visual acuity testing device or a combination of these devices, for variable illumination of the patient's eye with illumination fields of different geometries, wherein the illumination of the patient's eye is generated by means of electronically controllable chip building blocks.

Koschmieder, however, does not disclose "an eye tracker unit for compensating for movement of the eye to be examined," as required by amended independent claims 17 and 28. Koschmieder does not discuss such a unit, or the compensation of eye movement. Thus, Koschmieder does not disclose each limitation of independent claims 17 and 28 or dependent claims 18-27 or 29-32. Accordingly, Applicants respectfully request withdrawal of the rejection pursuant to section 102.

Further, dependent claim 19 requires that the device comprise "a zoom system and a magnification changer and wherein transmitter elements are additionally arranged at said zoom system and at said magnification changer." Koschmieder discloses none of these limitations, and the Examiner provides no specific argument to the contrary. Koschmieder only mentions a transmitter element 1 by which the user can merely carry out deliberate changes in the luminous field geometry. Thus, dependent claim 19 is even further distinguishable from Koschmieder.

*Rejection pursuant to 35 U.S.C. § 102 citing Schippert*

The Examiner rejects pending claims 17-32 pursuant to 35 U.S.C. § 102 as being anticipated by U.S. Pat. No. 6,631,990 to Schippert ("Schippert").

Schippert discloses a measurement system for non-invasively measuring distances in the anterior chamber of an eye in conjunction with a slit lamp ophthalmologic microscope table.

The measuring system comprises a triaxial table with an optical microscope and an illumination unit typical of a slit lamp. A digital camera and a TV monitor are connected to a correspondingly programmed controller or computer.

But similar to Koschmieder, Schippert does not disclose "an eye tracker unit for compensating for movement of the eye to be examined," as required by amended independent claims 17 and 28. Thus, Schippert does not disclose each limitation of independent claims 17 and 28 or dependent claims 18-27 or 29-32. Accordingly, Applicants respectfully request withdrawal of the rejection pursuant to section 102.

Also similar to Koschmieder, Schippert does not disclose "a zoom system and a magnification changer and *wherein transmitter elements are additionally arranged at said zoom system and at said magnification changer*," as required by dependent claim 19. Further, the Examiner has provided no specific argument to the contrary. Schippert does not disclose a zoom system or magnification changer that has transmitter elements, and therefore dependent claim 19 is further distinguishable from Schippert.

For these reasons, Applicants respectfully submit that Applicant's amendments place this application in condition for allowance. An early action on the merits of these claims is respectfully requested.

Respectfully submitted,

Eugene LePonche  
Reg. No. 33,930  
Joseph Miller, III  
Reg. No. 61,748

REED SMITH LLP  
599 Lexington Avenue  
29<sup>th</sup> Floor  
New York, NY 10022  
(P) 212-521-5400

Attorney for Applicant